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Preliminary Agenda

**BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA**

**TUESDAY, January 24, 2023
LEGISLATIVE CHAMBER, OMAHA-DOUGLAS CIVIC CENTER
1819 FARNAM, OMAHA, NE**

9:00 a.m.

As provided by *Neb. Rev. Stat.* §84-1411(6) a public body may allow a member of the public or any witness to appear before the public body by means of virtual conferencing.

Pursuant to §84-1411(6), this meeting is also available via Zoom.

<https://zoom.us/j/94512986711?pwd=YU1NUmJwN1ZnZ2RldDhlSDZGZVcyZz09>

Meeting ID: 945 1298 6711 Password: 187214

or

Dial +1 312 626 6799

Meeting ID: 945 1298 6711 Password: 187214

***A copy of the Open Meetings Act is located on the north wall of the Legislative Chambers,
and on the County Board's website at***

https://commissioners.douglascounty-ne.gov/images/Open_Meetings_Act_effective_date_July_21_2022.pdf

--Please silence all electronic devices--

Pledge of Allegiance

NOTE TO CITIZENS:

***--Any agenda item may be moved at any time at the discretion of the
Chair of the Board of County Commissioners--***

--An Automatic External Defibrillator is available on the back wall of the Legislative Chambers--

RULES OF DEBATE

- A.** On items requiring discussion/action, the process for debate is as follows:
1. The introducer of the item may speak up to five minutes when he or she first presents the item to the Board of Commissioners.
 2. The Board will hear from proponents and then opponents (citizens are encouraged not to repeat previous comment/testimony). No additional comment/testimony will be permitted unless a Board member requests additional information.
 3. The introduced item shall be motioned and seconded to proceed to debate.
 4. Each Commissioner shall be allowed to speak on introduced item up to two times for no more than five minutes.
 5. The introducer of the item shall be permitted five minutes to close debate.
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AGENDA
FOR
DOUGLAS COUNTY BOARD OF EQUALIZATION
(9:00 a.m.)

**--Note to Citizens: Any agenda item may be moved at any time at the discretion of the
Chair of the Board of County Commissioners--**

Roll Call

- A. Approval of the minutes of the Board of Equalization meeting held Tuesday, January 10, 2023. [\(See Attached\)](#)
- B. Call for a meeting and set **Tuesday, January 31, 2023**, as date for hearing on Certified Assessment Corrections reflecting the addition of omitted property to the tax rolls or increased value on property.
- C. **CITIZENS COMMENTS:** *This is an opportunity for members of the audience to be heard at this time for a maximum of **5 minutes** on any topic not on the agenda as it relates to the governance of Douglas County. However, under the Open Meetings Act, agenda items should give reasonable notice of the matters to be considered by the Board so that the public will know which matters are under consideration. As a result, Commissioners will not engage in discussions, conversations, debates or take action on any item presented during Citizen Comments. If a citizen wishes to engage a Commissioner or the Board in a discussion, conversation, debate or have the Board take action, that citizen will follow up with County Administration or the Commissioner of their District and seek to have the item placed on a future agenda for discussion and/or action as appropriate. During Citizen Comments, the Chair will keep order and a citizen may be called "out of order" for disruptive conduct or behavior.*

RESOLUTIONS:

- D. 2022 New Applications for Full Permissive Exemption. The website for Douglas County, www.douglascounty-ne.gov, in its section for Douglas County Agendas, has a link to the supporting information for this agenda item. (Assessor/Register of Deeds) [\(See Attached\)](#)
- E. Approving corrections to Personal Property affecting the tax list based on taxpayer submitted personal property returns, amend returns, clerical error or changes to status of business. (Assessor/Register of Deeds) [\(See Attached\)](#)
- F. Approving applications for tax Exemptions Form 457 on motor vehicles recommended for approval by the County Treasurer. [\(See Attached\)](#)

EXECUTIVE SESSION:

We reserve the right to enter an executive session in order to protect the public interest with respect to discussion regarding labor negotiations, litigation and personnel.

ADJOURN

AGENDA
FOR
DOUGLAS COUNTY NOXIOUS WEED CONTROL AUTHORITY
(Immediately following the conclusion of the Douglas County Board of Equalization meeting)

**--Note to Citizens: Any agenda item may be moved at any time at the discretion of the
Chair of the Board of County Commissioners--**

Roll Call

1. Approval of the minutes of the Noxious Weed Control Authority meeting held on Tuesday, January 25, 2022. [\(See Attached\)](#)

2. **CITIZENS COMMENTS:** *This is an opportunity for members of the audience to be heard at this time for a maximum of **5 minutes** on any topic not on the agenda as it relates to the governance of Douglas County. However, under the Open Meetings Act, agenda items should give reasonable notice of the matters to be considered by the Board so that the public will know which matters are under consideration. As a result, Commissioners will not engage in discussions, conversations, debates or take action on any item presented during Citizen Comments. If a citizen wishes to engage a Commissioner or the Board in a discussion, conversation, debate or have the Board take action, that citizen will follow up with County Administration or the Commissioner of their District and seek to have the item placed on a future agenda for discussion and/or action as appropriate. During Citizen Comments, the Chair will keep order and a citizen may be called "out of order" for disruptive conduct or behavior.*

3. Resolution Authorizing the County Weed Superintendent to sign and serve notices on behalf of the Douglas County Noxious Weed Control Authority.
(Mike Reed, Douglas County Weed Control) [\(See Attached\)](#)

4. Presentation and Approval of the Douglas County Noxious Weed Control Authority's 2022/2023 Annual Reports for the Nebraska Department of Agriculture.
(Michael Reed, Douglas County Weed Control) [\(See Attached\)](#)

ADJOURN

AGENDA
FOR
DOUGLAS COUNTY BOARD OF COMMISSIONERS
(Immediately following the conclusion of the Noxious Weed Control Authority meeting)

--Note to Citizens: Any agenda item may be moved at any time at the discretion of the Chair of the Board of County Commissioners--

Roll Call

I. MINUTES AND CLAIMS:

- A. Approval of minutes of the Board of Commissioners' meeting held Tuesday, January 10, 2023. [\(See Attached\)](#)
- B. Approval of claims submitted for payment processed through Tuesday, January 24, 2023. Complete listing is on file in the office of the County Clerk/Comptroller and available on the Douglas County Clerk/Comptroller's web page at:
<http://www.douglascountyclerk.org/supplierchecks>

II. CONSENT AGENDA: *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*

- A. Approving Inter-local Agreement 6 month extension with per diem increase with Douglas County to Mutually House Juveniles. (Budgeted) (Mark Le Flore, Douglas County Youth Center) *(Held over from Tuesday, January 10, 2023, meeting.)*
[\(See Attached\)](#)
- B. Approving Inter-local Agreement 6 month extension with per diem increase with Sarpy County to Mutually House Juveniles. (Budgeted) (Mark Le Flore, Douglas County Youth Center) *(Held over from Tuesday, January 10, 2023, meeting.)*
[\(See Attached\)](#)
- C. Approval of Subdivision Agreement for Travis of Venice. (Kent E. Holm, Environmental Services) *(Held over from Tuesday, January 10, 2023, meeting.)*
[\(See Attached\)](#)
- D. Todd Pfitzer, Douglas County Engineer, requests approval of the following:
 - 1. Additional amount of \$219,682.39 for added costs to Oldcastle Materials Midwest Co. DBA Omni Engineering for Douglas County Project No. C-28(572) 168th St Improvements from Rachel Snowden Pkwy to Old Military Road. (\$219,682.39 – Budgeted) [\(See Attached\)](#)
 - 2. Right of Way Acquisition, Warranty Deed Tract 13 (\$17,100.00), Tract 14 (\$38,700.00), Tract 34 (\$22,050.00) and Temporary Easement (\$11,995.00) Tracts 13, 14, 34 for County Project C-28(571) Fort Street Improvements – 183rd Street to 192nd Street. (\$89,845.00 – Budgeted) [\(See Attached\)](#)
 - 3. Right of Way Acquisition, Warranty Deed (\$9,825.00), Temporary Easement (\$1,875.00) Tract 2; Warranty Deed (\$39,000.00 and Temporary Easement (\$2,295.00) Tract 4 for County Project C-28(571) Fort Street Improvements – 183rd Street to 192nd Street. (\$52,995.00 – Budgeted) [\(See Attached\)](#)

4. Engineering Agreement with Felsburg Holt & Ullevig for County Project No. SP-2014(04)A –Wetland Mitigation Bank Monitoring, Year 1. (\$9,818.00 – Budgeted) [\(See Attached\)](#)
 5. Advertise for sealed bids on County Project C-28(571) – Fort Street Improvements, 184th Street to 195th Street. Bids to be opened Wednesday, February 15, 2023 at 11:00 a.m. in the Legislative Chambers of the Omaha Douglas Civic Center. [\(See Attached\)](#)
- E. Approve Special Designated Liquor License for Bennington Public Schools Foundation, 11620 N. 156th St, Bennington, NE 68007, for a fundraiser to be held March 24, 2023, 5:00 pm to 6:00 pm, at A View On State, 13467 State St, Omaha, NE 68142, Douglas County. [\(See Attached\)](#)
 - F. Resolution authorizing the Board of Commissioners Chair to accept document for the 2022 Youth Violence. (Lisa Daubman, County Administration) [\(See Attached\)](#)
 - G. Approve Special Designated Liquor License for Concordia Lutheran Schools of Omaha, 15656 Fort St., Omaha, NE 68116 (91-1759397), for an Annual Fundraising Gala to be held March 3, 2023, 5:00 pm to 11:30 pm, at Concordia Jr/Sr High School, 15656 Fort St., Omaha, NE 68116. [\(See Attached\)](#)
 - H. Resolution approving an American Rescue Plan Act of 2021 (ARPA) premium pay supplement effective February 5, 2023, through June 10, 2023, or upon an earlier to be determined sunset date, for eligible Douglas County Health Center (DCHC) employees, and authorizing the execution of 'Contract Amendments' between Douglas County and two collective bargaining groups, as specified, including approving a separate 'High-Needs Shift' pay provision for the Community Mental Health Center (CMHC). (Budgeted) (Marcos San Martin, County Administration) [\(See Attached\)](#)
 - I. Resolution for Surplus Property. (Eric J. Carlson, Purchasing Agent) [\(See Attached\)](#)
 - J. Approval of the 2023 Rules of Order. (Commissioner Mary Ann Borgeson) [\(See Attached\)](#)
 - K. Reappointment of David Rosacker to the City Planning Commission. (Commissioner Mary Ann Borgeson) [\(See Attached\)](#)
 - L. Approval of a Memorandum of Understanding (MOU) with Region 6. Region 6 provides Community Mental Health Center with 6 Language Translator devices and \$3,000 in support internet connectivity for the devices. (Sherry Driver, Director, CMHC) [\(See Attached\)](#)
 - M. Approval of a three year contract with Project Harmony to meet the federal grant entitled OJJDP FY2022 Reducing Risk for Girls in the Juvenile Justice System. (\$512,508 – Grant Funded – Budgeted) (Kim B. Hawekotte, County Administration) [\(See Attached\)](#)

- N. OVC FY2022 Field Generated Strategies Grant: (Kim B. Hawekotte, County Administration)
1. Approval of a three year contract with Boys Town to meet the federal grant entitled OVC FY22 Field-Generated Strategies to Address the Criminalization of Minor Victims of Sex Trafficking. (\$383,250 – Grant Funded – Budgeted) [\(See Attached\)](#)
 2. Approval of a three year contract with Education Rights Council to meet the federal grant entitled OVC FY22 Field-Generated Strategies to Address the Criminalization of Minor Victims of Sex Trafficking. (\$296,400 – Grant Funded – Budgeted) [\(See Attached\)](#)
 3. Approval of a three year contract with Project Harmony to meet the federal grant entitled OVC FY22 Field-Generated Strategies to Address the Criminalization of Minor Victims of Sex Trafficking. (\$240,786 – Grant Funded – Budgeted) [\(See Attached\)](#)
- O. Resolution to approve “Demand for Refunds.” (\$38,156.43 – Budgeted) (Property Tax Division – Treasurer) [\(See Attached\)](#)
- P. Dr. Lindsey Huse, Health Department Director, requests approval of the following:
1. Data Use Agreement renewal with Nebraska Department of Health & Human Services, regarding data extracts for syndromic surveillance utilizing the ESSENCE System through December 31, 2027. (\$10,000.00 – Budgeted) [\(See Attached\)](#)
 2. Agreement with Next Vizion, LLC regarding impacts of COVID 19, and community engagement with town hall meetings in northeast Omaha through June 30, 2023. (\$10,000.00 – Budgeted) [\(See Attached\)](#)
- Q. Approval for setting the salary of the incoming New Chief Deputy of Administration for the Douglas County Sheriff’s Office at \$162,871.00. (Budgeted) (Sheriff A. W. Hanson) [\(See Attached\)](#)
- R. Daniel A. Esch, County Clerk, presenting the following tort claim(s) for referral to the County’s Risk Manager for review and determination:
1. Din Chavez Lopez, \$50.20 requested [\(See Attached\)](#)

III. RECOGNITION/PROCLAMATIONS:

- A. A Proclamation declaring January as **Human Trafficking Awareness and Prevention Month**. (Commissioner Mary Ann Borgeson, Chair) [\(See Attached\)](#)
- B. Recognition of the following County Employee retired: **Raquel Salinas** worked for the Douglas County Treasurer’s Department for 28 years. (Karen Buche, Civil Service/HR) [\(See Attached\)](#)
- C. Recognition of the following County Employee retired: **Gerard Brennan** worked for the Douglas County Office of Engineering for 41 years. (Karen Buche, Civil Service/HR) [\(See Attached\)](#)

IV. **CITIZENS COMMENTS:** *This is an opportunity for members of the audience to be heard at this time for a maximum of **5 minutes** on any topic not on the agenda as it relates to the governance of Douglas County. However, under the Open Meetings Act, agenda items should give reasonable notice of the matters to be considered by the Board so that the public will know which matters are under consideration. As a result, Commissioners will not engage in discussions, conversations, debates or take action on any item presented during Citizen Comments. If a citizen wishes to engage a Commissioner or the Board in a discussion, conversation, debate or have the Board take action, that citizen will follow up with County Administration or the Commissioner of their District and seek to have the item placed on a future agenda for discussion and/or action as appropriate. During Citizen Comments, the Chair will keep order and a citizen may be called "out of order" for disruptive conduct or behavior.*

V. **PRESENTATIONS:**

VI. **PUBLIC HEARING:**

VII. **COMMITTEE DISCUSSION/ACTION:**

A. **FINANCE:**

Commissioners PJ Morgan and Mike Friend, Co-chairs

1. Budget Report. (Budget and Finance Director) ([See Attached](#))
2. Monthly Fee Report from the Douglas County Clerk/Comptroller (November, 2022). (Daniel A. Esch, Douglas County Clerk/Comptroller) ([See Attached](#))

B. **ADMINISTRATIVE SERVICES:**

Commissioner Roger Garcia, Chair

C. **CHILD AND YOUTH SERVICES:**

Commissioner Chris Rodgers, Chair

D. **COMMUNITY SERVICES:**

Commissioner Maureen Boyle, Chair

E. **CRIMINAL JUSTICE:**

Commissioner Mike Friend, Chair

F. **HEALTH AND HUMAN SERVICES:**

Commissioner James Cavanaugh, Chair

G. **HUMAN RESOURCES:**

Commissioner Mary Ann Borgeson, Chair

1. Weekly Personnel Report from Civil Service. ([See Attached](#))

2. Legislative issues. [\(See Attached\)](#)

Note: The Douglas County Board of Commissioners reserves the right to discuss and/or take action on any legislation, resolution or study, pending consideration by the state legislature. Such information may be viewed at the following address (this data is maintained by the Unicameral Information Office):

<http://nebraskalegislature.gov>

a. *Resolution supporting:* (Marcos San Martin, County Administration)
[\(See Attached\)](#)

LB 129, State intent regarding appropriations to the Department of Health and Human Services for medicaid nursing facilities;
(Appropriations Committee, Hearing TBD)

LB 130, Create the medicaid nursing facilities services budgetary program;
(Appropriations Committee, Hearing TBD)

LB 131, State intent regarding appropriations to the Department of Health and Human Services for medicaid assisted-living facilities;
(Appropriate Committee, Hearing TBD)

LB 317, Change provisions relating to inspection of real property by county assessors;
(Revenue Committee, Hearing TBD)

LB 337, Change provisions relating to disclosure of patient information under the Mental Health Practice Act;
(Health/Human Services committee, Hearing TBD)

LB 381, Adopt the Mental Health Wellness Act and authorize county sales and use taxes;
(Revenue Committee, Hearing TBD)

LB 420, Require the state to pay counties for the cost of office and service facilities used for the administration of public assistance programs;
(Government Committee, Hearing TBD)

LB 551, State intent to appropriate funds to certain counties for long-term care facility operations and services;
(Committee TBD, Hearing TBD)

LB 570, Adopt the Overdose Fatality Review Teams Act;
(Committee TBD, Hearing TBD)

LB 612, Appropriate funds to the Department of Administrative Services;
(Appropriations Committee, Hearing TBD)

LR 1CA, Constitutional amendment to require the Legislature to reimburse political subdivisions as prescribed.
(Government Committee, Hearing TBD)

- b. *Resolution opposing:* (Marcos San Martin, County Administration)
LR23CA, Constitutional amendment to prohibit the levying of an inheritance tax;
(Revenue Committee, Hearing TBD) ([See Attached](#))
- c. Other Legislation

EXECUTIVE SESSION:

We reserve the right to enter an executive session in order to protect the public interest with respect to discussion regarding labor negotiations, litigation, personnel and real estate.

ADJOURN

This agenda, which shall be kept continually current, shall be available for public inspection in the Office of the County Commissioners, Omaha-Douglas Civic Center, 1819 Farnam, LC 2, Omaha, NE during normal business hours. Also, available for public inspection will be any corresponding documentation that is provided to the Commissioners' Office prior to the weekly County Board meeting.

Members of the public requiring special accommodation(s), such as translators or hearing interpreters, shall if possible, notify the office of the Board by noon the Friday before the scheduled Board Meeting so that appropriate arrangements can be made. Contact 402-444-7025 if arrangements need to be made.

JANUARY, 2023

<u>Sun.</u>	<u>Mon.</u>	<u>Tues.</u>	<u>Wed.</u>	<u>Thurs.</u>	<u>Fri.</u>	<u>Sat.</u>
1	2	3 No Board Meeting	4	5	6	7
8	9	10	11	12	13	14
15	16	17 No Board Meeting	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY, 2023

<u>Sun.</u>	<u>Mon.</u>	<u>Tues.</u>	<u>Wed.</u>	<u>Thurs.</u>	<u>Fri.</u>	<u>Sat.</u>
			1	2	3	4
5	6	7	8	9	10	11
12	13	14 No Board Meeting	15	16	17	18
19	20	21 No Board Meeting	22	23	24	25
26	27	28				